

ENVIRONMENTAL IMPACT REPORT FORMAT AND GENERAL CONTENT REQUIREMENTS

Department of Planning and Land Use
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PURPOSE

This document's ultimate goal is to help in the preparation of useful, organized, consistent, and legally adequate Environmental Impact Reports (EIRs) in a timely and cost efficient manner.

This document is intended to complement, not reproduce or replace, pertinent California Environmental Quality Act (CEQA) and State and County CEQA Guidelines sections governing the preparation of EIRs.

GENERAL ISSUES AND GUIDANCE FOR THE WRITING OF DRAFT EIRs

1. CONTENTS - The contents of an EIR required by the CEQA and the State and County CEQA Guidelines are hereby incorporated by reference.
2. FORMAT - Unless an exception is granted, every draft EIR shall have the components as shown on Pages 2 and 3 of this document and as detailed in the following pages. **DOCUMENTS THAT DO NOT CONTAIN ALL OF THE MANDATORY SECTIONS DESCRIBED IN THIS DOCUMENT WILL NOT BE ACCEPTED FOR REVIEW BY COUNTY STAFF UNLESS AN EXCEPTION IS GIVEN BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND LAND USE (DPLU).**

NOTE: The format and content requirements of Supplemental EIRs will be determined on a case-by-case basis from the components listed on Page 2 of this document.

3. DOCUMENT LENGTH - The length of draft EIRs must be kept to the absolute minimum required to accurately convey the pertinent issues and to contain the level of analysis required to legally comply with the CEQA. Extraneous and "filler" material must always be omitted from EIRs. The total length of the narrative portion of the draft EIR must be kept below 75 pages. **DRAFT EIR NARRATIVES THAT EXCEED THIS 75 PAGE LENGTH WILL NOT BE ACCEPTED FOR REVIEW BY COUNTY STAFF UNLESS AN EXCEPTION IS GIVEN BY THE DIRECTOR OF THE DPLU.** Although exhibits and tables are page numbered, they are excluded from the page limitation. Appendices are also excluded (State CEQA Guidelines* §§15126[a], 15006, 15141, 15147).
4. EDITORIAL MATTERS - It is expected that the draft EIR will be properly edited for correct format, spelling, grammar, page numbering, internal consistency and other editorial matters. The EIR must be written in a factual and objective manner. Attempts to "slant" the document in favor of, or against the project are unacceptable. The draft EIR must be prepared for review and understanding by decision-makers and an informed public. Complex and extremely analytical materials must be summarized and simplified, with the details and harder to comprehend materials placed in the technical appendices (§15140).

* - 14 Cal. Code Regs. § 15000 et seq.; hereinafter all section references are to the State CEQA Guidelines.

GENERAL FORMAT OF DRAFT EIRs

COVER PAGE

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- Summary of Significant Effects and Mitigation Measures that Reduce the Significant Effects (In Tabular Form)
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- 1.1 **Project Description and Location**
- 1.2 **Project Objectives**
- 1.3 **Intended Uses of the EIR**
 - 1.3.1 Matrix of Project Approvals/Permits (Preferably in Tabular Form)
- 1.4 **Environmental Setting**
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- 3.1 **List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area** (In Tabular Form)
- 3.2 **Subject Area Cumulative Impact Analysis** (Repeat as Necessary)
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- 4.1 **Rationale for Alternative Selection**
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LIST OF REFERENCES

LIST OF EIR PREPARERS AND PERSONS AND ORGANIZATIONS CONTACTED

LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

TECHNICAL APPENDICES

COVER PAGE

The cover page must include the following information:

- Project common name.
- Permit number(s) (if applicable).
- DPLU environmental log number.
- State Clearinghouse (SCH) number (if applicable).
- Date (must be revised during each edition of the draft EIR).
- DPLU contact's name, and DPLU address and phone number.
- EIR preparer's name, and firm name and address.
- Project proponent's name and firm name.

TABLE OF CONTENTS

The Table of Contents is a mandatory section pursuant to CEQA Guidelines §15122. The following discussion details miscellaneous format requirements.

The Table of Contents must be formatted in the following manner:

CHAPTER 1.0 - CHAPTERS SPECIFIED BY NUMBER, BOLD, AND IN ALL CAPS

1.1 - Subchapters in upper and lower case, bold, and underlined

1.1.1. - Sub-subchapters in upper and lower case, and bold.

Chapter numbers must correspond with chapter numbers as detailed in this document. Subchapters must also follow the prescribed sequence but can be renumbered, if appropriate.

The Table of Contents must also contain a list of figures, tables, and appendices. Figures and tables must be numbered sequentially by chapter (e.g., Figure 2-5, Table 4-3). Technical appendices must be identified by letter and subject.

Figures and tables must be consolidated and placed at the end of the chapter (for Summary and Chapters 1, 5, and 6) or subchapter (for Chapters 2, 3, and 4) unless specifically required to be placed in a particular location (e.g., matrix of project approvals/permits).

Pages must be numbered sequentially by chapter (e.g., 3-7, 7-2). An exception to this requirement can be used for Chapter 2.0 which can be numbered sequentially by subchapter, at the consultant's discretion.

SUMMARY

The summary satisfies the requirements set forth in §15123. The summary must be formatted in the following manner, should be as concise as possible, and any case, not exceed 15 pages:

- **Project Synopsis** - This subchapter must provide a very abbreviated discussion of the proposed project including project description, objectives, location, and setting.
- **Summary of Significant Effects and Mitigation Measures That Reduce the Significant Effects (In Tabular Form)** - This subchapter provides a brief summary, preferably in a tabular format, of each environmental effect of the proposed project found to be significant, the mitigation measures that would reduce or avoid that effect, and the conclusion as to whether the effect is reduced below a level of significance by applying the mitigation measures. The description of impacts, mitigation, and the conclusion must be specific, clear, and concise. Any unavoidable significant effects must be listed first, followed by the significant effects found to be eliminated through mitigation measures. Effects found not to be significant must not be included in this summary. This statement/table must also reference the subchapters of the EIR where the topics are analyzed in detail (§15123[a]).
- **Project Alternatives** - This subchapter provides a brief summary of each alternative, the significant effects associated with the alternatives, whether or not the project alternative is environmentally superior, and a very brief rationale for the applicant's rejection of the environmentally superior alternative(s). The most superior alternatives must be listed first, followed by any inferior alternatives. This summary must also reference the subchapter of the EIR where alternatives are analyzed in detail (§15123[a]).
- **Areas of Controversy** - Areas of controversy related to the significance of environmental effects, mitigation, or alternatives known at the time of the writing of the draft EIR must be identified including issues raised by the applicant, public, and/or by public agencies outside of the County of San Diego. Examples include any disagreements among technical experts and the adequacy or necessity of proposed mitigation measures to reduce impacts below the level of significance (§15123[b][2]).
- **Issues to be Resolved by the Decision-Making Body** - This subchapter identifies and summarizes the issues to be resolved by the decision-making body. Examples of typical issues to be resolved include the determination of whether and how to mitigate significant effects and potential choices among project alternatives (§15123[b][3]).

CHAPTER 1.0 - PROJECT DESCRIPTION, LOCATION, AND ENVIRONMENTAL SETTING

This chapter implements the majority of the provisions of §§15124 and 15125. It is composed of five subchapters, which collectively, provide clarity for the reader on the questions of what, why, when, and where.

1.1 Project Description and Location

This subchapter provides a detailed description of the project as proposed. Considerable thought and effort must be expended in developing the project description otherwise substantial costs and time may be lost later in the project processing while required changes are made to the environmental documents. The description must include the project's technical, economic, and environmental characteristics (§15124[c]). For example:

- Technical aspects of the project may include considerations of land use, density and intensity, engineering requirements, and visual or aesthetic features.
- Economic considerations may include project marketability, balanced land use policy (i.e., deficiencies and surpluses of certain types of land uses), and limitations in project funding. (This information is optional at the applicant's discretion based upon whether or not these issues are critical to the proposed project design.)
- Environmental constraints or characteristics, or compliance with environmental regulations/policies which may have influenced the initial project design such as avoidance of geologic hazards known to the site, steep topography, avoidance of impacts to sensitive resources (e.g., biological, natural, water, cultural), compliance with the Resource Protection Ordinance, storm discharge requirements, Air Pollution Control District (APCD) permit requirements, project accessibility, hazards (e.g., floodway avoidance, 65 dB Community Noise Equivalent Level [CNEL] noise contours), etc. Design considerations that are relied upon to minimize project impacts, while not mitigation, must be listed in the "List of Mitigation Measures and Environmental Design Considerations" at the end of the EIR to ensure that their implementation is required as a condition of project approval.

The narrative must be supplemented by a project plan or map of appropriate scale and legibility. Details of any project phasing must also be included in this subchapter and must be supported by an illustration on the project plan or map, if possible. All of the steps in project implementation must be described including planning, acquisition, construction, and operation (§15124[a]). If the project involves the construction of public service facilities (i.e., on-/off-site water/wastewater treatment facilities, water reservoir, sewer extensions), such facilities must be described including their location, capacity, and agency responsible for implementation (§15124[d][2]).

An explanation of the project background which includes previous projects on the site (e.g., previous approvals/denials) that increase the understanding of the project may also be contained within this subchapter, as necessary.

The precise location and boundaries of the project site must be described. Both regional and vicinity (preferably topographic) location maps must be included to show the project's location.

General Guidance and Key Compliance Points

- ** The project description is the focus of much CEQA litigation concerning EIRs. Therefore, it is imperative that the above content be included in sufficient detail and that the project description be accurate, finite, and consistent throughout the EIR.
- ** Care must be taken not to divide what must be considered a single project into multiple projects (i.e., do not "piecemeal" a project).

1.2 Project Objectives

This subchapter provides the rationale for the proposal in a discussion which identifies why the applicant is undertaking the proposed project (e.g., economic gain, provisions of short-term jail facilities to reduce overcrowded incarceration facilities, reduction in traffic congestion, marketability through innovative design, reduction of a flood hazard at a reasonable cost). Project objectives must not be confused with the project description which is a statement of what the project is. Quantifiable terms must be used as much as possible (§15124[b]).

General Guidance and Key Compliance Points

- ** Project objectives must not be so narrowly defined as to preclude the analysis of a "reasonable range" of project alternatives in Chapter 4.0.
- ** Substantial effort should be expended to identify the project objectives because they will play a key role in the identification and evaluation of project alternatives.

1.3 Intended Uses of the EIR

This subchapter must briefly discuss the purpose of the EIR per §15121 and the type of EIR (e.g., project, program, supplemental) including the rationale and any limitations for the type of EIR selected (§§15124[d], 15160 through 15170).

1.3.1 Matrix of Project Approvals/Permits (Preferably in Tabular Form)

This sub-subchapter must consist of a table of all discretionary approvals/permits for which the EIR is intended to be used and the agencies that are expected to use the EIR in their decision-making. The listing of approvals must be categorized by jurisdiction. If multiple approvals are required from the same jurisdiction, the approvals must be listed in the order they are believed to occur (§15124[d]). If the EIR type (e.g., program,

tiered, staged) will only cover a portion of the required approvals, the subchapter must clearly identify which approvals the EIR is intended to be used for.

1.4 Environmental Setting

This subchapter setting generally includes a discussion of topography, vegetation/habitats, circulation, surrounding land uses and/or ownerships, geographic features such as lakes, streams, and canyons, and the major infrastructure both serving and in the vicinity of the proposed project. The discussion must start from the regional perspective and then provide site specific details. In order to avoid repetition, it is acceptable to refer the reader to site specific environmental setting (existing conditions) discussions in Chapter 2.0. Emphasis must be given to environmental resources that are rare or unique in the region of the proposed project and which are anticipated to be affected by project implementation (§15125[a]).

1.4.1 Consistency of Project With Applicable Regional and General Plans

The EIR must discuss any inconsistencies between the proposed project and the applicable regional and general plans. If no inconsistencies are found, the plans that were reviewed must simply be listed accompanied by a statement that no inconsistencies were found. If inconsistencies with a regional or general plan are found, the effect on the subject resource is usually considered significant and must be addressed in a comprehensive manner in an appropriate subchapter in Chapter 2.0. The plans that must be analyzed include, but are not limited to, the County's General Plan or an adopted Specific Plan (including any applicable community/subregional plan and The Zoning Ordinance), any APCD Air Quality Management Plan (Regional Air Quality Standards [RAQS]), any areawide waste treatment plan, any water quality control plans (Regional Water Quality Control Board [RWQCB] Basin Plans), any regional transportation plans, and any regional housing allocation plans (San Diego Association of Governments [SANDAG]). In comparing a project to an adopted plan, the analysis must examine both existing physical conditions and the potential future conditions discussed in the plan (§15125[b]).

General Guidance and Key Compliance Points

- ** Care must be taken to ensure that all descriptions are accurate and focus on the resources/conditions that exist at the time of the writing of the draft EIR (plan-to-ground analysis).
- ** If the project includes the curing of any land use violations, then "ground" assumes environmental conditions before the violation occurred.

CHAPTER 2.0 - SIGNIFICANT ENVIRONMENTAL EFFECTS

This chapter of the EIR provides a detailed discussion of those subject areas which could be potentially impacted by the proposed project. This includes information developed during the Initial Study process, the response period for the Notice of Preparation, scoping meetings, and/or previous public reviews, where applicable. This chapter satisfies §§15125 and 15126(a), (b), and (c).

General Guidance and Key Compliance Points

- ** It is imperative that this section be written in an objective, specific, clear, and concise manner. The analysis must logically flow from the discussion of existing conditions, thresholds of significance, and mitigation measures so that the logic and rationale for making the conclusion is clear and justifiable.
- ** The significant effects must be discussed with emphasis in proportion to their severity and probability of occurrence. Effects dismissed in the Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless subsequent inconsistent information is received (§§15126[a] and 15143). Issues conclude to be not significant after analysis during the EIR process must be discussed in Section 6.1 and not be located in this section. Additionally, efforts must be made to ensure that cumulative impacts, as defined in CEQA Guidelines §15355, are appropriately discussed in Chapter 3.0 and not in this chapter.
- ** Technical data, maps, plot plans, diagrams, and similar relevant information must be summarized to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Highly technical and specialized analysis and data must be placed in an appendix to the EIR. Exhibits, maps, and tables must be used wherever possible to condense and clarify the discussion and avoid wordiness. The narrative must be restricted to the most pertinent information in the exhibits. Repetition of information that can readily be obtained from the exhibits or tables must be avoided. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Conclusory statements unsupported by empirical or experimental data, scientific authorities, or explanatory information are not permissible (§15147).
- ** Compliance with specific existing regulations (e.g., APCD dust control requirements, grading related erosion control measures, Uniform Building Code requirements) and design considerations included in the project description (open space areas, road alignments, etc.) must be considered part of the project description and not used as mitigation. It is generally assumed that compliance with regulations will be achieved, therefore this fact must be taken into account when determining project effects. Care must be taken to use this approach only when regulations are clear and specific, not when regulations require discretion on the part of the approving agency (e.g., Habitat Loss Permits, various land use permits). Design considerations that were relied upon in determination of significance of impacts, while not considered mitigation, must be listed in the

"List of Mitigation Measures and Environmental Design Considerations" at the end of the EIR to ensure that they are included in the conditions of approval for the project.

- ** The degree of specificity required in this chapter must correspond with the degree of specificity of the most detailed permit which the EIR is intended to cover. For example, if the EIR is intended to be used for a General Plan Amendment and Tentative Map, as well as grading and improvement plans, then the analysis must be on the grading permit/improvement plan level (§15146).
- ** All phases of the project must be considered unless a tiered, master staged, or program EIR is being pursued (§§15126 and 15165).
- ** The EIR must analyze effects on existing resources as well as effects on bringing development and people into an area (e.g., both the project's effect on the environment and the environment's effect on the project and its occupants) (§15126[a]).
- ** Drafting an EIR necessarily involves some degree of forecasting. Reasonable effort must be expended to find out and disclose all project impacts (§15144).

2.1 Subject Area Analysis (Repeat as Necessary)

Discussion shall be by topical areas with significant and not mitigable effects listed first and then in the sequence of the DPLU Environmental Analysis Form with sub-chapters keyed to the form by title.

General Guidance and Key Compliance Points

- ** An EIR may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public in order to reduce the size and scope of the EIR. These documents may include previously certified EIRs which were prepared for the project site and which remain relevant but incomplete without the preparation of the current EIR. Such other document must be made available to the public for inspection at the DPLU offices during the public review period. The subchapter must state where the incorporated document will be available for inspection. The incorporated document shall be briefly summarized or described if the data or information cannot be summarized (§§15148 and 15150).

2.1.1 Existing Conditions

This sub-subchapter describes the relevant existing environmental conditions only in the detail necessary to enable the reader to understand the following discussion of significant effects.

General Guidance and Key Compliance Points

- ** Care must be taken to ensure that all descriptions are accurate and focus on the resources/conditions that exist at the time of the writing of the draft EIR (plan-to-ground analysis) (§15125[c]).
- ** If the project includes the curing of any land use violations, then "ground" condition assumes environmental conditions before the violation occurred.
- ** It is improper to use existing conditions to "trivialize" the project's impact (e.g., a project's effect on the traffic circulation system cannot be trivialized because the existing traffic is already severely congested).

2.1.2 Thresholds of Significance

This sub-subchapter briefly discusses the thresholds of significance in order to provide a baseline for the following analysis of project effects. Thresholds of significance can be determined by obtaining guidance from the County's "Guidelines for the Implementation of CEQA" (Greenbook); General Plan and elements thereof; CEQA; ordinances, policies, and other regulations; and through discussions with staff of lead, responsible, and trustee agencies.

2.1.3 Analysis of Project Effects and Determination as to Significance

Utilizing the existing conditions and thresholds developed in the preceding sub-subchapters, this discussion must detail each of the significant effects associated with the project for the resource being analyzed. Additionally, the effect must be identified as either direct or indirect, and either short- or long-term. Each significant effect must be numbered which must be keyed to the subchapter (e.g., 2.2.a, 2.4.e). The analysis of each effect must conclude with a direct and clear statement that the effect is considered significant (§15126[a]).

General Guidance and Key Compliance Points

- ** If, after thorough investigation, a particular impact is too speculative for evaluation, this conclusion must be stated in the EIR and discussion of the impact must be terminated (§15145).
- ** Disagreement among experts does not make an EIR inadequate, but the EIR must summarize main points of disagreement and explain lead agencies' reasons, if any, for accepting one set of judgments over another (§15151).
- ** The EIR cannot use the fact that the issuance of prior or subsequent discretionary permits for a portion of a project will render an impact of the entire project less than significant.

- ** The EIR cannot defer analysis of effects into the future and must analyze project effects at the earliest feasible point in project planning (§15144).
- ** Economic and social information may be included in an EIR if the County deems it necessary (§15131).

2.1.4 Mitigation Measures

This subchapter must discuss the feasible mitigation scenarios that could avoid, minimize, rectify, and/or reduce over time each of the significant environmental effects identified in Sub-subchapter 2.2.3. There must be a clear connection between the proposed mitigation measure and the identified significant effect. The discussion must distinguish between applicant proposed measures and others that could reasonably be expected to reduce adverse impacts if included as conditions. If several different measures exist, each one must be discussed and the basis for selecting a particular measure, if one is selected, must be given. If the measure, in turn, causes other significant effects, the other effects must be discussed, but in less detail in the appropriate subject area discussion within this chapter (Chapter 2.0) (§15126[c]).

General Guidance and Key Compliance Points

- ** Measures must be capable of:
 1. Avoiding the impact altogether.
 2. Minimizing impacts by limiting the degree and magnitude.
 3. Rectifying the impact by repair, rehabilitation, or restoration.
 4. Reducing or eliminating the impact over time through preservation and maintenance operations (§15370).
- ** Generally, the payment of "fair share" contributions or other partial or proportional payments should not be proposed as mitigation. In most cases, it is the actual construction, institution, or completion of an improvement, program, or other solution which in fact mitigates the environmental impact. Only where an official program has been adopted which assures that the remaining necessary funds will be obtained and that the actual mitigating solution will be in place prior to the occurrence of the environmental impact, will participation in such a program be appropriate as a mitigation measure.
- ** Feasible is defined by §15364 to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."
- ** Increased energy consumption related to mitigation measures must be addressed, if relevant (§15126[c]).

- ** Compliance with existing regulations or project design considerations must not be considered mitigation, but must be considered part of the proposed project (see Sub-subchapter 2.1.1). If implementation of certain project design considerations is critical to the conclusions of significance in the project EIR, these design considerations must be placed in the "List of Mitigation Measures and Environmental Design Considerations" at the end of the EIR.
- ** When it is concluded that there are no feasible mitigation measures that reduce an effect to a level below significance, the EIR must discuss any infeasible measures that could reduce the significant effect to a level below significance. The EIR must then discuss why these measures are infeasible.
- ** The County/applicant is always required to mitigate an adverse effect to the maximum extent feasible, even if the effect is still concluded to be significant after mitigation.
- ** When justified, mitigation for other related projects can be used to mitigate for a subsequent project's impacts.
- ** When approving projects that are general in nature (e.g., a General Plan) the County must develop and approve whatever general mitigation measures are feasible to lessen or avoid the project's significant impacts. The County cannot defer the obligation to formulate and adopt a mitigation until specific development is proposed.
- ** The County cannot refuse to consider mitigation measures simply because a responsible agency, with subsequent permitting authority, has power to address certain significant impacts.
- ** Measures must actually relate to the significant impact caused by the project. Additionally, care must be taken to ensure that there is a clear "nexus" between the impact and the required mitigation. Also, the required mitigation must be proportional to the level of impact.
- ** The County cannot reduce the number of housing units unless the applicant agrees or there is no other feasible mitigation that provides a comparable level of mitigation (§15092[c]).
- ** For impacts to unique archaeological resources, see CEQA §21083.2 and Appendix K.
- ** Measures must be feasible, enforceable, and implementable by the lead or responsible agencies.
- ** The EIR can rely on subsequent approvals of permits or plans only if there are specific "performance criteria", it is clear that the plan is achievable, and it is clear that the level of significance will be reduced.

2.1.5 Conclusions

This sub-subchapter must clearly state a conclusion as to whether each of the project's significant environmental effects (identified in Sub-subchapter 2.1.3) has been reduced to below a level of significance through mitigation measures. The discussion must be supported by a synopsis of the rationale for the conclusion. Where the EIR concludes that there are unmitigated adverse impacts, their implications and the reasons why the project is still being proposed without an alternative design, notwithstanding their effect, must be described (§15126[b]).

General Guidance and Key Compliance Points

- ** If the significance after mitigation is not clear, then the EIR must generally conclude that the effect is significant and not mitigated.

CHAPTER 3.0 - CUMULATIVE IMPACTS

This chapter of the EIR provides a discussion of cumulative impacts which may result from the proposed project when added to other closely related projects and reasonably foreseeable future projects. Information developed during the Initial Study process, the response period for the Notice of Preparation, scoping meetings, and/or previous public reviews, where applicable, must be included. This chapter satisfies §15130.

3.1 List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area (In Tabular Form)

The EIR must include a list of past, present, and reasonably anticipated future projects producing related or cumulative impacts regardless of whether they are under the same jurisdiction as the lead agency (including unapproved projects currently under environmental review). A map showing the location of the listed projects in relation to the proposed project must also be included. A reasonable effort must be undertaken to discover, disclose, and discuss related past, present, and future projects including the search of other agencies (§15130[b][3]). The scope of area searched will depend on the resource that is significantly affected (e.g., noise vs. air quality). A brief discussion of how the extent of the study area was determined and the criteria used in selecting projects must be included. This list must include a summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available (e.g., project EIRs and Negative Declarations [NDs]).

In lieu of the above, a summary of projections contained in an adopted General Plan or related planning document which is designed to evaluate regional or areawide conditions may also be used. If used, this document must be referenced and available to the public (§15130[b][1][A]).

3.2 Subject Area Cumulative Impact Analysis (Repeat as Necessary)

The discussion of cumulative impacts must reflect the severity of the impacts and their likelihood of occurrence, but need not provide as much detail as is provided for the effects attributable to the project alone, as done in Chapter 2.0. The discussion must be guided by the standards of practicality and reasonableness. The EIR must examine reasonable options for mitigating or avoiding any significant cumulative effects (§15130[b]). The format of this discussion must follow the format and content guidelines discussed in Chapter 2.1, as follows:

3.2.1 Existing Conditions - Refer to Section 2.1.1.

3.2.2 Thresholds of Significance - Refer to Section 2.1.2.

3.2.3 Analysis of Project Effects and Determination as to Significance - Refer to Section 2.1.3.

3.2.4 Mitigation Measures - Refer to Section 2.1.4.

3.2.5 Conclusions - Refer to Section 2.1.5.

General Guidance and Key Compliance Points (See Also Subchapter 2.1)

- ** Cumulative impacts must be discussed only when they are significant. If any impacts discussed in Chapter 2.0 are found not to be cumulatively significant, the EIR must simply provide a brief explanation of the basis for the determination (§15130[a]).
- ** The cumulative impact analysis for an individual project shall not be required to consider a project for which information first becomes available after completion of the draft EIR and could not otherwise have been reasonably anticipated if the EIR is certified within 150 days of the close of the public comment period.
- ** Sometimes the only feasible mitigation for cumulative impacts will involve the adoption of ordinances or regulations, rather than project specific mitigation. If this approach is used, the adoption of the ordinance or regulation should generally be concurrent with, or prior to, project approval and not be deferred into the future (§15130[c]).
- ** Efforts must be made to ensure that only cumulative impacts, as defined in State CEQA Guidelines §15355, are appropriately discussed in this section and not in Section 2.0.

CHAPTER 4.0 - PROJECT ALTERNATIVES

This chapter of the EIR is intended to implement the requirements set forth in §15126(d)(2).

4.1 Rationale for Alternative Selection

The EIR must briefly describe the rationale for alternative selection based upon the requirements described below (CEQA Guidelines §15126[d][2]). This discussion must also identify alternatives seriously considered (including proposals by the public or other agencies) but rejected as infeasible including the rationale for rejection (§15126[d][2]).

Factors That Must be Considered When Selecting Alternatives

** The following alternatives must be included in all EIRs, except as noted:

- "No Project" - The "No Project" Alternative generally assumes that nothing will be developed on the project site except what is allowed by right under current regulations/approvals. If there is an underlying, previously approved, discretionary project (i.e., Specific Plan, Tentative Map, Major Use Permit) which will be modified or replaced by the present proposal, then the EIR must also include a "No Development" alternative. The "No Development" Alternative assumes that no development under the previously approved project would occur.
- "Off-Site" - Whether off-site alternative(s) must be included or not depends upon several factors. The key question is whether any of the significance effects would be avoided or substantially lessened by putting the project in another location. If not, none need be considered. Further, if a previous document has considered a range of reasonable alternative locations, that document should be considered. A "rule of reason" should be followed in determining whether to include analysis of alternative locations. Such analysis may not be omitted solely on the basis that the project proponent does not own other land for the project. Whether the project is proposed by a public agency with the power to acquire an alternative site, and whether a private proponent has rights because of existing legal relationships to acquire alternative sites, are factors to take into consideration. If alternative locations are rejected as infeasible, the reasons must be given (§15126[d][5][B]).
- "Reduced Project" - Multiple variations of this alternative are often included and consist of reducing the overall project scale or specific elements of the project.

Additional alternatives may also be required to comply with §15126(d)(5) as discussed below.

- ** The EIR must focus on alternatives to the project, or on the location of the project, that attain the basic objectives of the project and are capable of eliminating or reducing any significant adverse environmental effects. This applies even if the project effects can be mitigated through the imposition of mitigation measures alone. Alternatives that do not reduce at least one of the significant effects of the proposed project must not be included in the EIR. Alternatives must still be considered even if they would be more costly or impede to some degree the attainment of the project objectives. These requirements underscore the importance of clearly and adequately determining the project objectives (see Subchapter 1.2). However, defining the project objectives narrowly in an attempt to severely limit the scope of potential alternatives is not permissible.
- ** The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice (§15126[d][5]).
- ** Criteria that can be taken into consideration in determining the feasibility of various alternatives include: site suitability; economic viability; availability of infrastructure; General Plan consistency; other plans or regulatory limitations; jurisdictional boundaries (depending on project scale); and whether the project proponent can reasonably acquire, control, or otherwise have access to the alternative site (§15126[d][5][A]).
- ** The range of alternatives cannot be limited by the fact that the project applicant has made substantial investments, agreements, or contracts in the proposed project before obtaining approval by the decision-making body.
- ** If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (§15126[d][4]).

4.2 Analysis of the "X" Alternative (Repeat as Necessary)

4.2.1 "X" Alternative Description and Setting

Include in the description of the alternative the degree to which the project development objectives can be attained.

4.2.2 Comparison of the Effects of the "X" Alternative to the Proposed Project

The environmental effects of the alternative shall be described under each topical area, as accomplished in Subchapter 2.1, however the sub-subchapter headings do not need to be followed for sake of brevity. The discussion must be detailed enough to allow meaningful evaluation, analysis, and comparison with the proposed project. Mitigation, unavoidable adverse impacts, and the cumulative impacts only need to be described if they are different from the proposed project; otherwise state that these effects and mitigation requirements are the same. Any new significant effects associated with the alternative, but not associated with the proposed project, must be discussed. However,

the discussion must be in less detail than the proposed project effects discussion in Chapter 2.0 of the EIR (§15126[d][3]).

4.2.3 Applicant's (or "Staff's" for Publicly Initiated Projects) Rationale for Rejection of the "X" Alternative

This discussion must state the rationale for the applicant's (or staff's for publicly initiated projects) rejection of the alternative in favor of the proposed project. If an alternative is rejected because of financial infeasibility, then evidence of the infeasibility must be included in the record (e.g., project file) (Goleta I). The rationale must be based in fact, not speculation or opinion (§15126[d][1]).

CHAPTER 5.0 - LONG-TERM ENVIRONMENTAL EFFECTS

5.1 Growth Inducing Impacts

This subchapter discusses the ways in which the proposed project could foster economic or population growth directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth. Also, the characteristics of the project which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively, must be addressed. It must not be assumed that growth in any area is necessarily a beneficial or detrimental effect on the environment.

If a project is determined to be growth inducing, then the effects of the growth on environmental resources, including effects on existing community services facilities, must be discussed. Any significant effects associated with the growth inducing properties of a project must be discussed and treated in the same manner as significant cumulative effects. If the effects associated with growth are significant, then any feasible mitigation measures and/or any feasible project alternatives must be provided to reduce or avoid these effects (§15126[g]).

5.2 Significant Irreversible Environmental Changes Resultant From Project Implementation (Only Required for Certain Projects)

This subchapter is only required for a draft EIR prepared for the adoption, amendment, or enactment of a plan, policy, or ordinance for a public agency, the adoption of a Local Agency Formation Commission (LAFCo) Resolution, or a project subject to Environmental Impact Statement pursuant to the National Environmental Policy Act (§§15126[f] and 15127).

- Any irreversible environmental changes which would be involved in the proposed action, should it be implemented, must be disclosed.
- Any uses of non-renewable resources or limitations on future uses of non-renewable resources if the proposed project is implemented must be disclosed (example: placement of a residential land use designation in an area of a known mineral resource). Irretrievable commitments of resources must be evaluated to ensure that the project's consumption is justified.
- Any primary and secondary impacts that commit future generations to similar uses must be disclosed.

CHAPTER 6.0 - ENVIRONMENTAL EFFECTS FOUND NOT TO BE SIGNIFICANT

6.1 Effects Found not to be Significant as Part of the EIR Process

Include a brief discussion of the effects identified as potentially significant during the Environmental Initial Study or Notice of Preparation process but were concluded not to be significant after further analysis. Include technical studies in appendices, as necessary (§§15128 and 15143).

6.1.1 Subject Area Analysis (Repeat as Necessary)

The discussion should generally be concise as shown in Subchapter 2.1, however the discussion of mitigation measures must be omitted.

6.2 Effects Found not to be Significant During Initial Study

Either briefly state which environmental effects were determined not to be potentially significant during the Environmental Initial Study or reference a complete copy of the Environmental Initial Study attached as an appendix (§§15128 and 15143).

LIST OF REFERENCES

This list must provide adequate references to documents cited in the EIR. References that were heavily relied upon in the EIR analysis and which have a limited circulation must include a location where the public can readily access and review the document (§15150).

LIST OF EIR PREPARERS AND PERSONS AND ORGANIZATIONS CONTACTED

This list must clearly identify: 1) all staff, agencies, and organizations who prepared the EIR; and 2) all Federal, State, or local agencies, organizations, and individuals who were consulted during its preparation. The list must indicate the name, affiliation, and a very brief explanation of each individual's role in the preparation of the EIR (§15129).

LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

This list must include: 1) a comprehensive listing of all mitigation measures proposed for the project; and 2) a listing of all conditions of approval required to ensure that project design considerations that were relied upon to determine an effect to be less than significant are required to be implemented (e.g., applicant proposed open space areas, road improvements, drainage systems).

TECHNICAL APPENDICES

Technical appendices must be identified by letter and subject. Contents of the technical studies must include, at a minimum, the following (§15147):

- Environmental Initial Study.
- Notice of Preparation and Responses.
- Technical Studies (it is imperative that the project as assessed in the technical studies is consistent with the project description within the EIR). An exception can be given if the technical appendix assessed a clearly environmentally inferior project and concluded that the effects not to be significant or mitigable by design considerations that were incorporated into the "revised" project. Additionally, a technical study that addresses a larger area than the proposed project is allowable if the impacts attributed to the actual project area are accurately stated.

CONTENTS OF THE FINAL EIR INCLUDING RESPONSES TO PUBLIC COMMENT
(§15132)

1. A COMPLETE COPY OF THE DRAFT EIR, amended/revised as necessary based on the public comment and recommendations (see #3 below).
2. A LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES THAT HAVE COMMENTED OR GIVEN RECOMMENDATIONS ON THE DRAFT EIR.
3. COMMENTS AND RESPONSES TO COMMENTS AND RECOMMENDATIONS RECEIVED ON THE DRAFT EIR.

Responses of the County must be given for environmental points raised during the public review period. At the discretion of the County, the County may respond to late comments.

The written response must describe the disposition of significant environmental issues raised. In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments, must be addressed in detail, giving reasons why specific comments and suggestions were not accepted. There must be a good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (§15088).

The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, then either:

- a. The text in the body of the EIR must be revised; or
 - b. Marginal notes must be added to the EIR that show the information is revised in the response to comments.
4. STATEMENT OF LOCATION AND CUSTODIAN OF DOCUMENTS OR OTHER MATERIALS THAT CONSTITUTE A RECORD OF PROCEEDINGS.
 5. OTHER INFORMATION.

Any other information can be included in the final EIR that is deemed appropriate by the County.

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